

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CASE NO. 1:22-cv-06932-JLR

RICHARD FICHTL,

Plaintiff,

vs.

FIRST UNUM LIFE
INSURANCE COMPANY,

Defendant.

_____ /

CIVIL JUDGMENT

WHEREAS, the above-captioned civil action having come before the undersigned on fully briefed cross-motions for judgment on the administrative record, and the Court having entered its Opinion and Order dated March 26, 2024 [ECF No. 44], in which the Court granted Plaintiff's motion and denied Defendant's motion, it is hereby **ORDERED, ADJUDGED, AND DECREED** that:

(1) Judgment is hereby entered in favor of Plaintiff in the amount of monthly long-term disability ("LTD") benefits due for the period of March 4, 2020, through the conclusion of the initial 24-month benefit period under the applicable LTD policy (the "LTD Policy").

(2) Plaintiff's LTD claim is hereby remanded to Defendant for determination in the first instance of Plaintiff's eligibility for additional benefits under the LTD Policy beyond the initial 24-month period.

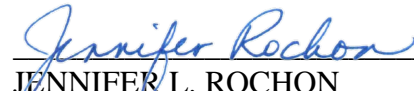
(3) Plaintiff is entitled to reinstatement of his Life Plan premium waiver benefit for the period of March 4, 2020, through the conclusion of the initial 24-month benefit period under the LTD Policy, and for any period thereafter in which he was or is eligible for LTD benefits.

(4) As Plaintiff might be entitled to recover attorney's fees and costs pursuant to 29 U.S.C. § 1132(g), Plaintiff must file any motion for such fees and costs on or before April 23, 2024. See ECF No. 44, pg. 35. Plaintiff's motion may include a request for prejudgment interest.

Dated: April 2, 2024

New York, New York

SO ORDERED.



JENNIFER L. ROCHON
United States District Judge

CC: counsel of record